

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANUELA VALENTIN,

Plaintiff,

v.

THE BRONX-LEBANON HOSPITAL CENTER,
ILIANA ROBINSON,

Defendants.

ECF CASE

07 Civ. 2940 (GEL)

**DECLARATION OF
RICHARD BERGERON**

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THE BRONX-LEBANON HOSPITAL CENTER,

Third-Party Plaintiff,

v.

MORRIS HEIGHTS HEALTH CENTER,

Third-Party Defendant.
-----X

RICHARD BERGERON declares, pursuant to 28 U.S.C. § 1746, declares the following:

1. I am a Senior Attorney in the General Law Division, Office of the General Counsel, Department of Health and Human Services (the "Department"). I am fully familiar with the official records maintained by the Department with regard to health centers that are deemed eligible for Federal Tort Claims Act malpractice coverage.

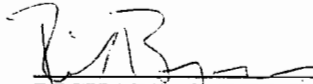
2. I have reviewed official agency records and have determined that Morris Heights Medical Center, Inc., was first deemed eligible for Federal Tort Claims Act malpractice coverage effective June 23, 1996, and that its deemed status has continued without interruption since that date. Copies of the notifications by an Assistant Surgeon General, Department of Health and Human Services, to Morris Heights Health Center, Inc., are attached as Exhibit A.

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I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C.

§ 1746.

Dated at Washington, D.C., this 14 day of February, 2007.



RICHARD G. BERGERON
Senior Attorney, Claims and Employment Law Branch
General Law Division
Office of the General Counsel
Department of Health and Human Services